



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : L. Mercer McKinley, M.D.
Application No. : 10/664,288 – Conf. #4546
Filed : September 17, 2003
Entitled : ROD APPROXIMATOR
Docket No. : 101896-206

Group Art Unit: 3738
Examiner: Not Yet Assigned

Certificate of Mailing (37 C.F.R. 1.8(a))

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March 22, 2004

By:

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the reference listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom. A copy of the reference is not submitted because the filing date of this application is after June 30, 2003.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists, and in accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)), and thus no fees are believed to be due. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 101896-206.

Respectfully submitted,

Date: March 22, 2004


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PTO/SB/08a/b (08-03)

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Complete if Known

				Application Number	10/664,288
				Filing Date	September 17, 2003
				First Named Inventor	L. Mercer McKinley, M.D.
				Art Unit	3738
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	101896-206

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
1	2004/0049191	03-11-2004	Markworth et al.		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

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Examiner Signature	Date Considered
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